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In re Application of : OCT 20 2005
Yodo et al. :
Application No. 09/462,789 : OFFICE OF PETITIONS
Filed: January 12, 2000 :
Attorney Docket Number: :
7246/58775 : ON PETITION

This is a decision on the Renewed Petition under 37 CFR § 1.137(a), filed September 26, 2005, to revive an unavoidably abandoned application.

The Petition is hereby granted.

The above-identified application became abandoned for failure to timely and properly reply to the Notice of Allowance and Issue Fee Due ("Notice"), mailed October 22, 2004. The Notice set a non-extendable three (3) month period for reply. No response having been received, the application became abandoned on January 23, 2005. A Notice of Abandonment was mailed March 4, 2005.

With the instant petition, Petitioner has provided the necessary statements and copies of the docket record where the non-received Notice would have been entered had it been received and docketed. Petitioner has demonstrated by a preponderance of the evidence that the Notice was not received.

In view of the above, the petition under 37 CFR 1.137(a) is granted.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

Derek L. Woods
Petitions Attorney
Office of Petitions